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Eau Claire man shot by police in 2015 files lawsuit

Olson Declaration

Exhibit J

By [Jonathan Fortier](#)

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EAU CLAIRE, Wis. (WEAU) - An Eau Claire man who was shot by police in 2015, after officers say he resisted arrest, has filed a lawsuit against the city and the officer who shot him.

On April 1, 2015, Tyler Holte of Eau Claire was shot twice by Eau Claire Police Officer Hunter Braatz.

It all started earlier that day when police went to check on him after a report that he was suicidal.

Investigators say Holte had recently gotten out of jail and was staying at a sober living house.

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Police responded and found out he was fighting with two females near an auto repair shop on western avenue.

Holte's mother, Annette Mott, was interviewed by police after the incident and she said when police pulled up to the auto shop, Holte said, "I'm not going back to jail, they're going to have to shoot me."

Officers say he then stole a car and led them on a chase.

They found the car abandoned at the VFW on Starr Avenue and found Holte hiding in the woods be

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From there, officers say they asked Holte repeatedly, to put his hands up, to which he did not compl

Investigators later found Holte did not have a weapon on him.

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Under the Employment System, individuals who have their rights violated, can sue for money, damages and sometimes other relief as well," Olson says.

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Documents filed with the United States District Court, Western District of Wisconsin, show Holte amassed more than \$235,000 in medical bills recovering from his injuries after being shot.

"Mr. Holte had severe injuries, he's very lucky he lived and we're just seeking the only justice the law allows in a civil action like this which is an award of monetary damages," Olson says.

In June 2015, Eau Claire County District Attorney, Gary King, [concluded the actions](#) of Officer Braatz were justified and found no wrongdoing.

However, Olson says those findings have no impact on a civil suit.

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"The fact that a criminal prosecution has not been brought, has no bearing really at all on the prospects of a civil damages action. Certainly it has no legal impact on the outcome of a civil damages action."

When asked, Olson did not specify how much money Holte is seeking in the lawsuit.

"I think Tyler Holte has a good heart and he has a good life in front of him and I'd hate to see the effort he's making to stay on the straight and narrow these days made more difficult."

Olson also did not give a timeline on when the lawsuit would be resolved.

We reached out to the Eau Claire Police Department, they said they can't comment on an active lawsuit.

Following the incident in 2015, Holte has had several encounters with law enforcement, including drug possession charges, disorderly conduct and an OWI.

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